Remarks

The amendments to the claims

The purpose of the amendments to claims 191, 192, and 203 is to better relate the additional limitations set forth in the dependent claims to the graphical user interface of independent claims 211 and 198. Claims 191 and 192 are supported by the description at page 25, line 18- page 26, line 20 and Fig. 12, which show how the graphical user interface indicates whether a model entity is a domain or a goal, as set forth in claim 191 and how the related further information for the goals can be accessed by clicking on the goals, as set forth in claim 192. Claim 203 as amended is supported at least by FIG. 35 and the discussion at page 29, line 5- page 30, line 15.

The patentable weight of the language *the persons not being specialists in information technology* **in the preamble of claim 211**

A threshold issue between Examiner and Applicant is Examiner's contention in Section 3 of her Office action of 11/21/2006 that the language "the persons not being specialists in information technology" has no patentable weight. Applicant respectfully disagrees.

Examiner presents two reasons for her contention:

- the language "merely recites the purpose of the intended use of a structure".
- the language is merely "non-functional descriptive data"

Applicant's "the persons not being specialists in information technology", however, neither "merely recites the purpose of the intended use of a structure" nor is it merely "non-functional descriptive data". That it is neither can be seen by the fact that it does not merely stand in the preamble of the claim, but is referred to in the claim's description of the graphical user interface element (lines 10-12) in a way which limits the structure of the claimed invention:

> a graphical user interface for the system which the processor provides to the persons, the graphical user interface permitting a person of the persons to perform operations on a model entity

The "persons" of lines 10-12 are of course the "persons not being specialists in information technology" of the preamble. Because "persons not being specialists in information technology"

limits the structure of the claimed invention, it must be treated as a claim limitation. See MPEP 2100-42, Rev. 5, Aug. 2006, I. Preamble Statements Limiting Structure.

As for the "patentable weight" of the limitation, it is repeatedly pointed out in the Specification that a large part of the value of the invention comes from the fact that it can be used by everyone who is collaborating in the business in which the invention is being used. See in this regard page 15, line 21 through page 17, line 20. Moreover, even the most cursory reflection on the history of digital data processing leaves no doubt that the user interface is crucial to the usability of a technology. For example, in the early 70's, one could use text processing languages such as `troff` to do anything that one does today with PC word processing software; there were, however, two problems: the interface provided by `troff` was not WYSIWYG and `troff` required considerable skill in programming. Word processors such as those built by Wang and those provided by word processing software on the PC provided the WYSIWYG interface, eliminated the need for programming skills, and thereby made computerized text processing accessible to non-technical people.

The graphical user interface in Applicant's system represents the same kind of progress over the user interface in Buteau that the word processing GUIs represent over the `troff` text processing language interface. To see that that is the case, one need only compare the graphical user interface used to obtain information in Applicant's system (for example, FIGs. 28-33) with FIGs. 9 and 10 of Buteau. FIG. 9 shows the SQL query which the user of Buteau's system has to write to obtain the output shown in FIG. 10. Clearly, a "person[] not being [a] specialist[] in information technology" will not be able to get the output shown in FIG. 10 out of Buteau's system. No such skills are required for the users of the GUI shown in Applicant's FIGs. 28-33. The combination of the language "the persons not being specialists in information technology" of the preamble with the language "the graphical user interface permitting a person of the persons to perform operations on a model entity" in the body of the claim thus does not just set forth *any* limitation, but rather one that is *fundamental* to making Applicants' system useful for its purpose. As such, the limitation is certainly entitled to patentable weight.

Patentability of the amended claims over the references

The Buteau reference

As set forth in the *Abstract,* the Buteau reference discloses a system that evaluates an enterprise architecture to see how architectural changes to the enterprise affect the enterprise architecture. The enterprise architecture is represented using tables in a relational database system and

5   includes a work flow model, an information model, and a technology model. The enterprise architecture itself is based on the Department of Defense's Technical Architecture Model for Information Management (TAFIM). Buteau's FIG. 2 shows the TAFIM model. As can be seen from FIG. 2 and the discussion of FIG. 1 at col. 1, lines 23-35, the TAFIM model is concerned with an enterprise's infrastructure, not with managing whatever it is that the enterprise is using

10   the infrastructure to do.

Important differences between Buteau and Applicant's system include the following:

- the *model* used to represent the enterprise is that provided by TAFIM; it is substantially fixed; changes necessary to adapt the model for individual enterprises are made by

15   *architects and planners* (col. 6, line 15); ordinary users can change the information in the model but not the model itself.

- the model is not visible to the users; there is nothing in Buteau's GUI corresponding to FIG. 2.

- As would be expected from the fact that the model is not visible in the GUI, neither are

20   entities belonging to the model visible in the GUI.

- the technique used for getting information out of Buteau's system is writing SQL queries; this requires detailed knowledge not only of SQL, but also of the database tables used in Buteau's system.

- there are no model entities in Buteau that are "capable of belonging to a hierarchy having

25   one of the types and a hierarchy have another of the types".

- ordinary users of Buteau's system cannot "assign[] the model entity to a location in a hierarchy", "access[] and/or modify[] the information concerning the collaborative activity via the model entity", "view[] model entities as ordered by a hierarchy to which the entities belong", or "view[] model entities as ordered by a value in the information concerning the

30   collaborative activity to which the entities give access".

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Patentability of claim 211 over Buteau

Claim 211 clearly sets forth the foregoing distinctions between the system of Buteau and Applicant's system:

5   **211. (previously presented)** A system for supporting management of a collaborative activity by persons involved therein, the persons not being specialists in information technology and
the system comprising:
       a representation of a model of the collaborative activity, the representation being
10   accessible to a processor and the model of the collaborative activity including model entities, the model entities providing access to information concerning the collaborative activity, being organized into a plurality of hierarchies having a plurality of types, and a given model entity being capable of simultaneously belonging to a hierarchy having one of the types and a hierarchy having another of the types; and
15   a graphical user interface for the system which the processor provides to the persons, the graphical user interface permitting a person of the persons to perform operations on a model entity as limited by a type of access which the person has to the model entity, the operations including controlling access to the model entity, creating, modifying, and/or deleting the model entity, assigning the model entity to a location in a
20   hierarchy, accessing and/or modifying the information concerning the collaborative activity via the model entity, viewing model entities as ordered by a hierarchy to which the entities belong, and viewing model entities as ordered by a value in the information concerning the collaborative activity to which the entities give access.

25   As is clear from the foregoing description of Buteau's system, the system is not "a system for supporting management of a collaborative activity by persons involved therein, the persons not being specialists in information technology", the model is not visible in the graphical user interface, there are no model entities that "simultaneously belong to a hierarchy having one of the types and a hierarchy having another of the types", Buteau's graphical user interface does
30   not permit ordinary users to create or delete model entities, assign model entities locations in hierarchies, view them as they are ordered by a hierarchy, or view model entities as ordered by a value in the information concerning the collaborative activity to which the entities give access.

Because none of the foregoing limitations of Applicant's claim 211 are disclosed in Buteau,
35   Examiner's rejection of the claim under 35 U.S.C. 102 as anticipated by Buteau is without foundation. As Examiner understands, the argument made above with regard to claim 211

applies equally to claim 198. Further, because independent claims 198 and 211 are patentable over Buteau, so are all of the claims dependent from those claims.

Rebuttal of detailed arguments of Examiner

5 <u>Buteau's hierarchical model entities</u>

A simple way of representing a hierarchy when the members of the hierarchy are rows in a database table is to have a row representing a child in the hierarchy include the row id of the row which is the child's parent in the hierarchy. Buteau uses such representations to represent hierarchies of organizations (290) (FIG. 4), info repositories (520), info formats (570), and info

10 types (540) (all FIG. 5). There is no indication whatever in Buteau that these hierarchies are visible in Buteau's GUI. Further, entities such as persons or processes may be *related* to these hierarchies but do not *belong to* the hierarchy. For example, a person may be related to more than one organization, but the person is not him or herself a member of the hierarchy of *organizations.* Applicant's goals, by contrast, may belong simultaneously to a goal-project

15 hierarchy and a domain hierarchy, and it is this kind of *membership,* as opposed to *relationship,* that is required by the claim.

<u>Buteau's graphical user interface</u>

Buteau devotes three Figures, 8-10, and col. 22, lines 20-62 to his graphical user interface. Fig.

20 8 is a screen which a user of the system may employ to input attribute values for entities in the model. The enterprise architect has employed drop-down menus to ensure uniform input of the attribute values. No manipulation of the model beyond setting attribute values is possible from the screen of FIG. 8. Thus, while this screen is usable by a person who is not a specialist in information technology, the user cannot employ it in

25 controlling access to the model entity, creating, ...and/or deleting the model entity, assigning the model entity to a location in a hierarchy, ... viewing model entities as ordered by a hierarchy to which the entities belong, and viewing model entities as ordered by a value in the information concerning the collaborative activity to which the entities give access

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all of which are required by the claim.

The interface to Buteau's system which the enterprise planners and architects use is shown in FIG. 9. Both the figure and the discussion at col. 22, lines 33-62 make it perfectly clear that the SQL interface shown in FIG. 9 is useful only to Buteau's "system architects and planners". Buteau thus does not disclose a graphical user interface that "permit[s] a person [who is not a] specialist in information technology" to perform the actions which such a person can perform in the system of the invention.

Conclusion

In the foregoing, Applicant has demonstrated that the amended claims are fully supported by the Specification as originally filed and has demonstrated that independent claims 211 and 198 are patentable over the Buteau reference. In demonstrating the latter, Applicant has satisfied the requirements of 37 C.F.R. 1.111(b) and consequently respectfully requests that Examiner continue with the examination of the claims as amended, as provided by 37 C.F.R. 1.111(a), and allow the claims as amended.

No fees are believed to be required for this response. Should any be, please charge them to deposit account number 501315.

Respectfully submitted,

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